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General Assembly

Forty-ninth Session

Official Records

102nd Meeting
Friday, 21 April 1995, 10 a.m.
New York

President: Mr. Essy . . . . . Côte d'Ivoire

In the absence of the President, Prince Sisowath (Cambodia), Vice-President took the Chair.

The meeting was called to order at 10.50 a.m.

Agenda item 8 *(continued)*

Adoption of the agenda and organization of work

Request for the reopening of the consideration of agenda item 97 (Advancement of women): note by the Secretary-General (A/49/887 and Corr.1)

The President *(interpretation from French)*: In his note A/49/887 and Corr.1, the Secretary-General informs the General Assembly that in resolution 45/129 of 14 December 1990 and again in resolution 46/98 of 16 December 1991, the General Assembly endorsed Economic and Social Council resolution 1990/12 of 24 May 1990, in which the Council recommended that a world conference on women should be held in 1995 and requested that the Commission on the Status of Women act as the preparatory body for the world conference.

At its thirty-ninth session, held at Headquarters from 15 March to 7 April 1995, the Commission on the Status of Women, as the preparatory body for the Fourth World Conference on Women: Action for Equality, Development and Peace, decided to recommend to the General Assembly the adoption of a draft resolution entitled "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

At the same session, the Commission approved the provisional rules of procedure of the Fourth World Conference on Women: Action for Equality, Development and Peace, and recommended their adoption by the General Assembly.

In order for the General Assembly to take action on the recommendations of the Commission on the Status of Women, as the preparatory body for the Fourth World Conference on Women, it will be necessary to reopen consideration of agenda item 97, entitled "Advancement of Women".

May I take it that the General Assembly wishes to reopen consideration of agenda item 97, entitled "Advancement of Women"?

It was so decided.

The President *(interpretation from French)*: Representatives are aware that this agenda item was allocated to the Third Committee. However, in order for the Assembly to proceed expeditiously on this matter, may I take it that the Assembly wishes to consider the recommendations by the Commission on the Status of Women directly in plenary meeting?

It was so decided.

The President *(interpretation from French)*: May I further take it that the Assembly agrees to proceed immediately to the consideration of the recommendations

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by the Commission on the Status of Women, the text of which, for ease of reference, is reproduced in document A/49/887 and Corr.1.

Agenda item 97 *(continued)*

Advancement of women: note by the Secretary-General (A/49/877 and Corr.1)

We shall now proceed to consider the draft resolution contained in annex I to document A/49/887, and the provisional rules of procedure of the Conference contained in annex II to document A/49/887 and in its Corrigendum 1.

I shall now call on those representatives who wish to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Wang Xuexian (China) *(interpretation from Chinese)*: The Chinese delegation wishes to make the following comments on the draft resolution concerning "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

Firstly, the Chinese Government has all along attached importance to the role of non-governmental organizations (NGOs) in promoting the advancement of the status of women. As the host country, we welcome the non-governmental organizations that are dedicated to the advancement of women to Beijing, for the Fourth World Conference on Women and for the NGO Forum on Women, "Beijing '95", and wish both of them success in making in this way their contributions to the advancement of women throughout the world.

We are pleased to note that an overwhelming majority of the non-governmental organizations applying to participate in the Conference were accredited at the last and current sessions of the Commission on the Status of Women after being examined and recommended by its secretariat. The secretariat has done a great deal of work in examining the qualifications of non-governmental organizations for accreditation. The recommendations it has made in this regard are in line with the provisions set forth in General Assembly resolution 48/108.

Secondly, the Chinese delegation has already expressed its concern at the thirty-ninth Session of the Commission on the Status of Women over the substance of the draft resolution and its modalities for solving the question of the accreditation of non-governmental organizations, for those modalities breach the normal United Nations practice for accrediting non-governmental organizations to its international conferences, deprive the Commission of its mandate as the preparatory body for the Fourth World Conference on Women and alter the terms of reference of the Economic and Social Council by formulating and coordinating policies, that turn the Council into a body that will undertake operations specific to the Council's own subordinate organs. This is unprecedented in the practice of the United Nations and will set a disturbing and complicated precedent, both legally and procedurally.

Thirdly, we have consistently stood for regional balance in the accreditation of non-governmental organizations to international conferences and for equal participation by more non-governmental organizations from developing countries; we have proposed on many occasions that this principle be observed in the Commission's examination of the qualifications of non-governmental organizations for accreditation. However, there are no specific measures in the present draft resolution to address the question of regional balance, and this, instead of alleviating the serious problem of regional imbalance that now exists among the accredited non-governmental organizations, will further aggravate it.

Fourthly, at the thirty-ninth session of the Commission on the Status of Women several countries kept pressing for the accreditation of a very few non-governmental organizations that have nothing to do with the Conference and that are exclusively engaged in activities aimed at splitting up sovereign States. This practice of politicizing and complicating the question of accreditation is inconsistent with the purposes and principles of the Charter of the United Nations and contrary to the relevant resolutions on the issue of accreditation adopted by the General Assembly and the Commission on the Status of Women, and is thus detrimental to the smooth proceeding of the Conference. We believe that no country or non-governmental organization that is truly interested in the question of women and in the success of the Conference will support this practice.

It is on this basis that the Chinese delegation asks that the draft resolution be put to the vote and will abstain in the voting.

Mr. Maubert (France) (*interpretation from French*): On behalf of the European Union, I should like to recall the importance we attach to the General Assembly's adopting the draft resolution entitled "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

I should like in this respect to recall that the European Union took the initiative of submitting this draft resolution to the Commission on the Status of Women with a view to completing the accreditation procedure for non-governmental organizations under conditions of transparency and strict adherence to rule, and also to allow for a rebalancing that would favour the South in the participation of non-governmental organizations in the Beijing Conference.

Following consultations with all the regional groups, we prepared the text that is before us today. I would recall that those consultations are reflected in the massive support of delegations, and — though this does not appear in the documents submitted to us today — I would stress that 78 delegations from all regional groups sponsored this text.

Consequently, we would like this text to be adopted today with the same massive support that it received in the Commission on the Status of Women, where, I would remind members, 40 countries spoke in favour and not one against. We hope for this unanimous support because it will enable the secretariat to work within time-frames that are none the less brief and difficult, will allow countries to speak out loud and clear and so ensure, thanks to the participation of the non-governmental organizations, the full success of the Beijing Conference.

The President (*interpretation from French*): We have heard the last speaker in explanation of vote before the voting.

We shall turn first to the draft resolution recommended by the Commission on the Status of Women, as the preparatory body for the Fourth World Conference on Women, contained in annex I to document A/49/887. The draft resolution is entitled "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

The Assembly will now take a decision on the draft resolution. A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Côte d'Ivoire, Cyprus, Denmark, Ecuador, Estonia, Finland, France, Gabon, Germany, Greece, Guyana, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mexico, Monaco, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, San Marino, Singapore, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Zimbabwe

Against: None

Abstaining: China

The draft resolution was adopted by 86 votes to none, with 1 abstention (resolution 49/243).

[Subsequently, the delegation of Nicaragua advised the Secretariat that it had intended to vote in favour].

The President (*interpretation from French*): We shall now take a decision on the provisional rules of procedure of the Fourth World Conference on Women, recommended for adoption by the Commission on the Status of Women as the preparatory body for the Conference, and contained in annex II to document A/49/887 and Corr.1.

May I take it that the Assembly decides to approve the provisional rules of procedure of the Fourth World Conference on Women: Action for Equality, Development and Peace?

It was so decided.

The President (*interpretation from French*): I shall now call on the representative of the United States of America, who wishes to speak in explanation of vote, after the vote. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Ms. Williams-Manigault (United States of America): My Government wishes to provide its views on the rules of procedure for the Fourth World Conference on Women, and particularly concerning the request by the European Union just approved that the European Community be given enhanced observer status in connection with the Conference.

Let me say at the outset that the United States welcomes the participation of the European Community in the preparatory work for the Conference. We fully appreciate the important role played by the European Community, both in terms of developing policies and of adding constructively to the deliberations of the United Nations and related bodies. That role is unquestioned.

We are increasingly faced with the question of the methods for participation of the European Community in United Nations participatory meetings and conferences, in light of the Community's unique legislative and administrative status within the structure of the European Union. The matter of the status and roles of observers in the United Nations is of some importance. This issue has recently been addressed, in relation to participation by observers in the General Assembly, by the Sixth Committee and the General Assembly, which decided to focus attention on the formulation and development of specific criteria for determining the granting of observer status at the General Assembly. Whether and under what circumstances to give observers a heightened status in other United Nations contexts and forums is a related issue of which we must be similarly watchful. In the normal course of things, we are accustomed to two basic categories of participation in official United Nations meetings and conferences: by States and by observers. To place an organization on a different footing from that which would customarily pertain to it requires meeting a special burden of proof on the basis of the application of accepted criteria.

As regards the European Community, we have understood that the basis which originally justified the recognition of enhanced observer status for it was the transfer, or ceding, of competence by European Union member States to the European Community in accordance with the provisions of the Treaty on European Union. As a result of this legally binding arrangement, in a particular subject area the European Community has an exclusive competence no longer possessed by the European Union States. In these circumstances, we have concurred that creating an extraordinary or special observer status for the European Community has been warranted.

On the basis of the criteria I have described, the European Community has received this heightened status in connection with certain other United Nations events in the recent past. The European Community also received General Assembly approval to participate in the United Nations Conference on Environment and Development, the International Conference on Population and Development and the World Summit for Social Development on terms comparable to those involved in the European Union request relating to the Beijing Conference.

With regard to the European Union's request for similar enhanced status for the European Community relating to the Conference on Women, my delegation discussed certain concerns with the European Union and the European Community, and we received information on the competences of the European Community relating to the subject matter of the Conference. It was explained to us that the European Community has a strong interest in this subject matter, that this subject matter is directly related to fundamental activities of the European Community and that, in relevant areas, competence has been legally transferred, by treaty, from the European Union members to the European Community.

A key question for us in any particular instance is, "Who speaks for the members of the European Union? Is it the European Union, the member States, or the European Community?" If the European Community is to have an enhanced status because of its exclusive or special competences — because there is an important need for the European Community to act as representative of the member States in those areas where competence has been legally transferred, by treaty, from the member States to the European Community — then, where the European Community intervenes or negotiates as the European Union's representative, we would question the appropriateness of having the member States or the European Union presidency speak or negotiate on the same matter for the European Union as well. To do otherwise and recognize the representation of the European Union by two different sets of voices and delegates at the same time, would lead only to a potential for significant confusion and disadvantage for other delegations.

With regard to the Beijing Conference, it is our understanding that the European Union presidency will indicate in advance on which matters the European Community will act as European Union representative. This is very important, as we and other delegations will

need to know to whom we should look in seeking to negotiate and reach agreement on any particular matter. In this regard, we understand this to mean that when the European Community acts as representative, it will do so in lieu of the European Union presidency.

We are pleased that the European Union has indicated that it does not regard a decision to approve enhanced status for the European Community as a precedent for any other conference.

Under these circumstances, and given the European Community's very strong desire to make a contribution to the Beijing Conference, my Government has supported the proposal by the European Union. We look forward to working closely with the European Union and the European Community in Beijing.

The President (*interpretation from French*): We have heard the only speaker in explanation of vote after the voting.

We have thus concluded this stage of our consideration of agenda item 97.

The meeting rose at 11.15 a.m.